

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

RESOLUTION NO. 2017-071

RESOLUTION AUTHORIZING THE CITY OF SOUTH FULTON HUMAN RESOURCES DEPARTMENT TO CONDUCT BACKGROUND CHECKS ON PROSPECTIVE EMPLOYEES, VENDORS, AND VOLUNTEERS; AUTHORIZING THE HUMAN RESOURCES DIRECTOR TO SERVE AS AGENT FOR GCIC AND OTHER CRIME DATABASES; AUTHORIZING THE HUMAN RESOURCES DIRECTOR TO ESTABLISH POLICIES AND PROCEDURES; PROVIDING FOR TRAINING RESOURCES AS NECESSARY; AUTHORIZING MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the City is authorized under City Charter Sections 1.12, 1.13, and 3.10 to establish departments and branches of City government and may prescribe functions and requirements to those departments; and

WHEREAS, the Mayor is authorized under City Charter Section 3.22(b)(4) to sign written and approved contracts and any necessary attendant documents thereof for the benefit of the City; and

WHEREAS, ensuring that city employees, contractors, and volunteers comply with hiring requirements, job postings, and city ordinances helps ensure the quality of the City workforce remains exceptional, leading to a high level of public confidence; and

WHEREAS, the City finds that completing criminal background checks on prospective employees, vendors, and volunteers a necessary component in determining the qualifications of such persons for work with the City; and

WHEREAS, criminal background checks are authorized for local governments pursuant to O.C.G.A. § 35-3-35; and

WHEREAS, the moratorium on the issuance of alcohol licenses by the City of South Fulton will end on November 30, 2017; and

WHEREAS, criminal background checks are required to be conducted by local governments prior to the issuance of an alcohol license by O.C.G.A. § 3-3-2; and

WHEREAS, the Georgia Crime Information Center ("GCIC" or the "Center") may require the City to enter into contract or a user agreement to use the services provided through the Center for criminal background checks; and

WHEREAS, these requirements are necessary for the proper execution of a well-ordered government.

THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH FULTON, GEORGIA, AS FOLLOWS:

1. **Recitals.** The aforesaid recitals are not mere recitals, but are material portions of this Resolution.
2. **Establishment of Background Check Procedures.** The Director of Human Resources is hereby authorized to create policies and procedures in conjunction with the City Manager and City Attorney for establishing criminal background checks for any prospective City employee, vendor, or volunteer, or applicants for an alcohol license. The Director of Human Resources is further authorized to serve as the City's point of contact and/or agent for GCIC, Georgia Bureau of Investigation ("GBI"), or Federal Bureau of Investigation ("FBI") in applying for or maintaining access to criminal background check databases. The Director of Human Resources shall establish requisite training courses and take all necessary steps to adopt a policy to conduct background checks on prospective employees in accordance with state law.
3. **Background Checks for Prospective City Employees, Vendors, and Volunteers.** Authorized Human Resources staff shall conduct criminal background checks on prospective City employees, vendors, and volunteers in accordance with state law, any contract for use of the GCIC database, policies established for use by GCIC, and any policies established by the Human Resources Director.
4. **Background Checks for Alcohol License Applicants.** Authorized City staff shall conduct criminal background checks on applicants for alcohol licenses in accordance with state law, any contract for use of the GCIC database, policies established for use by GCIC, and any policies established by the Human Resources Director.
5. **Approval and Execution.** The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution including, but not limited to a user agreement and contracts with the GCIC, GBI, and FBI. The City Clerk is authorized to execute, attest to, and seal any document that may be necessary to effectuate this Resolution. The City Attorney is authorized to approve as to form any document required to be executed to effectuate this resolution.

6. **Severability.** To the extent, any portion of this Resolution is declared invalid, unenforceable or non-binding, that shall not affect the remaining portions of this Resolution.
7. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
8. **Effective Date.** This Resolution shall take effect on **November 14, 2017.**

The foregoing Resolution No. **2017-071** was adopted on **November 14, 2017**, was offered by Mayor Pro Tem **Rowell**, who moved its approval. The motion was seconded by Councilmember **Gumbs**, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Catherine Foster Rowell, Mayor Pro Tem	_____✓_____	_____
Carmalitha Lizandra Gumbs	_____✓_____	_____
Helen Zenobia Willis	_____✓_____	_____
Gertrude Naeema Gilyard	_____✓_____	_____
Rosie Jackson	_____✓_____	_____
khalid kamau	_____	_____✓_____
Mark Baker	_____✓_____	_____

THIS RESOLUTION adopted this 14th day of November 2017.

CITY OF SOUTH FULTON, GEORGIA



WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:



MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:



JOSH BELINFANTE, INTERIM CITY ATTORNEY